

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION**

UNITED STATES OF AMERICA

1:22-cr- 00063-AA

v.

MISDEMEANOR INFORMATION

DARREN DENNIS DRAKE,

18 U.S.C. § 371

Defendant.

THE UNITED STATES ATTORNEY CHARGES:

INTRODUCTION

Between October 2017 and March 2018, defendant **DARREN DENNIS DRAKE**, a scorpion enthusiast, bought, sold, and traded scorpions in violation of United States' import, export, and domestic mailing laws.

At all times relevant to this this Information:

1. The United States Fish and Wildlife Service (FWS) regulates the import and export of shipments containing wildlife.
2. FWS requires individuals and companies to obtain a FWS Import/Export License before commercially importing into or exporting from the United States shipments containing wildlife.

Information

3. “Commercial” is defined as the sale, resale, purchase, trade, barter, or the actual intended transfer in the pursuit of gain or profit, of any item of wildlife. There is a presumption that eight or more similar unused items are for commercial use. (50 C.F.R. § 14.4).

4. “Wildlife” is defined as any member of the animal kingdom, including and without limitation any mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod or invertebrate, and includes any part, product, egg, or offspring thereof, or the dead body or parts thereof. (16 U.S.C. § 3371).

5. It is unlawful to knowingly deposit for mailing or delivery, or cause to be delivered by mail, anything declared nonmailable by the United States Postal Service (USPS) including all poisonous animals, insects, reptiles. (18 U.S.C. § 1716).

COUNT 1
(Conspiracy)
(18 U.S.C. § 371)

Beginning in or around October 2017 and continuing through in or around March 2018, in the District of Oregon and elsewhere, defendant **DARREN DENNIS DRAKE** knowingly and intentionally combined, conspired, confederated, and agreed with others known and unknown, to commit Lacey Act violations against the United States in violation of Title 16, United States Code, Sections 3372(a)(1) and 3373(d)(2), and in the exercise of due care, should have known the conspiracy violated United States law, treaty, and regulations including 18 U.S.C. § 1716, 50 C.F.R. § 14.61, 50 C.F.R. § 14.63, and 50 C.F.R. § 14.91;

All in violation of Title 18, United States Code, Section 371.

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OVERT ACTS

In furtherance of that conspiracy and in order to affect the objects thereof, defendant committed, and caused to be committed by other conspirators, the following acts:

6. On or about September 4, 2017, defendant agreed and conspired with another to import eight live scorpions from Germany to the District of Oregon (USPS Package ID: LX743111643DE) without first obtaining a FWS Import/Export License. The scorpions arrived in Talent, Oregon, on September 12, 2017.

7. On or about September 8, 2017, defendant agreed and conspired with another to export twelve live scorpions from the District of Oregon to Germany (USPS Package ID: CH024168544US). Defendant falsely labeled scorpions as chocolates. The package was intercepted by Customs and Border Protection on September 14, 2017.

8. On or about October 2, 2017, defendant agreed and conspired with another to knowingly deliver via USPS, live scorpions from Texas to the District of Oregon (USPS Package ID: 9500116014477275198258).

9. On October 21, 2017, and October 29, 2017, defendant sent 508.05 Euros to another to purchase, mail, and import scorpions from Germany into the United States without first obtaining a FWS Import/Export License.

10. On or about December 13, 2017, defendant agreed and conspired with another to knowingly cause to be delivered via USPS, 200 live scorpions from Michigan to the District of Oregon (Package ID: #EM038897891US). Defendant received the USPS mailing containing scorpions on December 22, 2017.

11. On March 21, 2018, defendant paid 125 Euros to a known co-conspirator to purchase, mail, and import scorpions from Germany into the United States without first obtaining a FWS Import/Export License.

Dated: February 23, 2022.

Respectfully submitted,

SCOTT ERIK ASPHAUG
United States Attorney

/s/ John C. Brassell
JOHN C. BRASSELL, WASB #51639
Assistant United States Attorney